



CITY OF LODI COUNCIL COMMUNICATION

AGENDA TITLE: Adopt Resolution Awarding Contract for City-Funded Maintenance of Landscape Areas for 2011 to Dominguez Landscape Services, Inc., of Sacramento, for Groups A, B, and C for an Annual Cost of \$141,708

MEETING DATE: November 17, 2010

PREPARED BY: Public Works Director

RECOMMENDED ACTION: Adopt resolution awarding contract for City-funded maintenance of landscape areas for 2011 to Dominguez Landscape Services, Inc., of Sacramento, for Groups A, B, and C for an annual cost of \$141,708.

BACKGROUND INFORMATION: This project provides for the contract landscape maintenance of 198 landscaped sites in the public right-of-way, public buildings, parking lots, the Multimodal Station, and the White Slough Water Pollution Control Facility. The total acreage of the contract now exceeds 49 acres.

This bid consists of three separate groups: Group A – Maintenance of Turf and Miscellaneous Landscape Areas, Group B – Maintenance of Lower Sacramento Road and Adjacent Landscape Areas, and Group C – Maintenance of Cherokee Lane and Adjacent Landscape Areas.

The specifications were approved on October 20, 2010, and are on file in the Public Works Department. The City distributed seven bid packets and 13 notifications of availability. The City received the following two bids on November 2, 2010:

Bidder	Location	Bid
Dominguez Landscape Services, Inc.	Sacramento	\$141,708
Pacheco Brothers Gardening, Inc.	Hayward	\$633,960

The difference in the bid amounts is not unusual. In a discussion with Pacheco Brothers, part of their cost was establishing a yard in the City for the contractor to work from.

FISCAL IMPACT: This annual contract maintains the existing landscape sites at a frequency level of once per month, along with quarterly pruning, with the exception of turf areas that are serviced weekly. This contract amount is approximately \$32,000 less than the current contract for the same areas and service frequencies.

FUNDING AVAILABLE: The money for this project will be coming from the General Fund, Utility and Transit 2011/12 Operating accounts (102011, 103511, 125052, 160652, 170403, 170404, 180453, 210801, 3215036).


Jordan Ayers

Deputy City Manager/Internal Services Director


F. Wally Sandelin

Public Works Director

Prepared by Curtis Juran, Streets and Drainage Superintendent
FWS/CES/CJJldsg
cc Curtis Juran, Streets and Drainage Superintendent

APPROVED: 

Konradt Bartlam, Interim City Manager

**MAINTENANCE OF MISCELLANEOUS
LANDSCAPE AREA 2011**

CONTRACT

THIS CONTRACT, made by and between the CITY OF LODI, State of California, herein referred to as "**City**" and **Dominguez Landscape Services, Inc.**, herein referred to as "**Contractor**".

WITNESSETH:

That the parties hereto have mutually covenanted and agreed, and by these presents do covenant and agree with each other, as follows:

The complete contract consists of the following documents which are incorporated herein by this reference, to-wit:

Notice Inviting Bids
Information to Bidders
General Provisions
Special Provisions
Bid Proposal

Contract
Vicinity Maps
Group Listings
Maintenance Schedule
Water Conservation Ordinance

The July 1992 Edition Standard
Specifications, State of California
Business and Transportation Agency,
Department of Transportation

All of the above documents, sometimes hereinafter referred to as the "Contract Documents," are intended to cooperate so that any work called for in one and not mentioned in the other is to be executed the same as if mentioned in all said documents.

ARTICLE I That for and in consideration of the payments and agreements hereinafter mentioned, the Contractor agrees with the City, at Contractor's cost and expense, to do all the work and furnish all the materials except such as are mentioned in the specifications to be furnished by the City, necessary to maintain in a good workmanlike and substantial manner to the satisfaction of the City the proposed maintenance of landscaped areas.

ARTICLE II The Contractor agrees to conform to the provisions of Chapter 1, Part 7, Division 2 of the Labor Code. The Contractor and any Subcontractor will pay the general prevailing wage rate and other employer payments for health and welfare, pension, vacation, travel time, and subsistence pay, apprenticeship or other training programs. The responsibility for compliance with these Labor Code requirements is on the prime contractor.

ARTICLE III And the Contractor agrees to receive and accept the following prices as full compensation for furnishing the work contemplated and embraced in this agreement; also for all loss or damage arising out of the nature of the work aforesaid or from the action of the elements, or from any unforeseen difficulties or obstructions which may arise or be encountered in the prosecution of the work until its acceptance by the City, and for all risks of every description connected with the work; also for all expenses incurred by or in consequence of the suspension or discontinuance of work; and for well and faithfully completing the work, and the whole thereof, in the manner and according to the Contract Documents and the requirements of the Engineer under them, to-wit:

ARTICLE IV By my signature hereunder, as Contractor, I certify that I am aware of the provisions of Section 3700 of the Labor Code, which requires every employer to be insured against liability for Workers' Compensation or to undertake self-insurance in accordance with the provisions of that code, and I will comply with such provisions before commencing the performance of the work of this contract.

ITEM	UNIT	ESTIMATED QUANTITY	UNIT PRICE	TOTAL ANNUAL PRICE
EXHIBIT GROUP A				
1				
TURF SITES PER GROUP A - MOWING, PRUNING, WEED CONTROL, LITTER PICK UP, IRRIGATION MAINTENANCE PER SPECIFICATIONS	1	LS	<u>\$2,776.00/Month</u>	<u>\$33,312.00</u>
EXHIBIT GROUP B				
2				
SITES PER GROUP B - WEED CONTROL, LITTER PICK UP, ONCE PER MONTH, PRUNING ONCE PER THREE MONTHS, AS PER SPECIFICATIONS, IRRIGATION MAINTENANCE INCLUDED	1	LS	<u>\$6,970.00/Month</u>	<u>\$83,640.00</u>
EXHIBIT GROUP C				
3				
SITES PER GROUP C - WEED CONTROL, LITTER PICK UP, ONCE PER MONTH, PRUNING ONCE PER THREE MONTHS, AS PER SPECIFICATIONS, IRRIGATION MAINTENANCE INCLUDED	1	LS	<u>\$2,063.00/Month</u>	<u>\$24,756.00</u>
TOTAL ANNUAL PRICE				<u>\$141,708.00</u>

References must be submitted with bid proposal as described in Section 2.140

ARTICLE V It is further expressly agreed by and between the parties hereto that, should there be any conflict between the terms of this instrument and the Bid Proposal of the Contractor, then this instrument shall control and nothing herein shall be considered as an acceptance of the said terms of said proposal conflicting herewith.

WHEN SIGNING THIS CONTRACT, THE CONTRACTOR AGREES THAT THE PERIOD FOR THIS CONTRACT IS JANUARY 1, 2011 THROUGH DECEMBER 31, 2011, AND THE CONTRACTOR AGREES TO SUBMIT MONTHLY BILLINGS NO LATER THAN THE 10TH OF EACH MONTH.

IN WITNESS WHEREOF, the parties hereto have hereunder set their hands the day and year first written.

CONTRACTOR

Dated: _____, 2010

Authorized Signature

Title

TYPE OF ORGANIZATION
Individual, Partnership or Corporation

(Affix corporate seal if Corporation)

Address

Telephone

CITY OF LODI
A Municipal corporation

Konradt Bartlam
Interim City Manager

Date

Attest:

Randi Johl
City Clerk

Date

Approved as to Form:

D. Stephen Schwabauer,
City Attorney

Date

RESOLUTION NO. 2010-196

A RESOLUTION OF THE LODI CITY COUNCIL
AWARDING THE CONTRACT FOR CITY-FUNDED
MAINTENANCE OF LANDSCAPE AREAS FOR 2011
FOR AREAS A, B, AND C

WHEREAS, in answer to notice duly published in accordance with law and the order of this City Council, sealed bids were received and publicly opened on November 2, 2010, at 11:00 a.m. for City-funded maintenance of landscape areas for 2011, described in the specifications therefore approved by the City Council on October 20, 2010; and

WHEREAS, said bids have been checked and tabulated and a report thereof filed with the City Manager as follows:

Bidder	Bid
Dominguez Landscape Services, Inc.	\$141,708
Pacheco Brothers Gardening, Inc.	\$633,960

WHEREAS, staff recommends awarding the contract for the City-funded maintenance of landscape areas for 2011 for Groups A, B, and C to the low bidder, Dominguez Landscape Services, Inc., of Sacramento, California, in the amount of \$141,708.

NOW, THEREFORE, BE IT RESOLVED that the Lodi City Council does hereby award the contract for City-funded maintenance of landscape areas for 2011, Areas A, B, and C, to Dominguez Landscape Services, Inc., of Sacramento, California, in the amount of \$141,708.

Dated: November 17, 2010


I hereby certify that Resolution No. 2010-196 was passed and adopted by the Lodi City Council in a regular meeting held November 17, 2010, by the following votes:

AYES: COUNCIL MEMBERS – Hansen, Hitchcock, Johnson, Mounce,
and Mayor Katzakian

NOES: COUNCIL MEMBERS – None

ABSENT: COUNCIL MEMBERS – None

ABSTAIN: COUNCIL MEMBERS – None


RANDI JOHL
City Clerk